

**Remarks**

This communication is considered fully responsive to the Office Action mailed May 25, 2005 and made Final (hereinafter referred to as the "Final Office Action"). Claims 1-7 were previously withdrawn. Claims 8-27 were examined and remain currently pending. No claims are cancelled. No new claims are added.

Claims 8 and 14 are amended. As discussed below, Applicant believes the amendments put the claims in condition for allowance or in better condition for appeal. Accordingly, entry of the amendments to claims 8 and 14 is respectfully requested.

Reexamination and reconsideration of claims 8-27 are respectfully requested.

**Claim Rejections - 35 U.S.C. 102(b)**

The Final Office Action rejected claims 8-22, 26, and 27 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,208,745 to Quentin, et al. (hereinafter referred to as "Quentin"). Applicant respectfully traverses this rejection.

Applicant previously argued that Quentin fails to teach or suggest a multifunction device and therefore fails to anticipate Applicant's independent claims 8 and 14. The Final Office Action repeats the original rejection of claims 8-20 and states that Quentin discloses a multifunction device in Figure 1. In response to Applicant's argument, the Examiner noted that the definition of a multifunction device is "not recited in the rejected claim(s)."

Applicant has addressed the Examiner's concern by amending independent claims 8 and 14 to positively recite the definition of a multifunction machine. Therefore, Applicant believes amended independent claims 8 and 14 are now allowable because the Final Office Action did not provide any further support, beyond the missing definition, for maintaining the rejection. Withdrawal of the rejection of claims 8 and 14 is respectfully requested.

Claims 9-13 depend from claim 8, which is believed to be allowable. Therefore, claims 9-13 are also believed to be allowable for at least the same reasons as claim 8. Withdrawal of the rejection of claims 9-13 is respectfully requested.

Claims 15-20 depend from claim 14, which is believed to be allowable. Therefore, claims 15-20 are also believed to be allowable for at least the same reasons as claim 14. Withdrawal of the rejection of claims 15-20 is respectfully requested.

Independent claim 21 positively recites "a multifunction device electronically linked over a network to a plurality of electronic transmission devices, the multifunction device receiving a multimedia presentation from at least one of the plurality of electronic transmission devices." There is no teaching or suggestion of at least these recitations.

The Final Office Action summarily dismisses this recitation by stating only that "Quentin teaches a multi-function device (Fig. 1)." A prima facie case of anticipation under Section 102 requires that every element of the claimed invention be literally present in the reference, arranged as it is in the claim. See,

e.g., *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Accordingly, the Final Office Action has failed to make a prima facie case of anticipation.

In addition, claim 21 positively recites "the program code separating the multimedia presentation into a visual component and a corresponding audio annotation" (emphasis added). Quentin fails to teach or suggest at least this recitation.

The Final Office Action states that "Quentin teaches separating the media (col. 5, ll. 62-65)." However, the Examiner has misconstrued this passage in Quentin. Quentin states:

*"the text and multimedia commands in each record are formatted so that the information for each output module can be easily identified and separated from the other information in the record."* Col. 5, lines 62-66.

The "separation" in this passage refers to separating the information from other information in the record, and does not disclose separating the multimedia presentation into a visual component and a corresponding audio annotation.

Accordingly, Applicant believes claim 21 to be allowable for at least these reasons. Withdrawal of the rejection of claim 21 is respectfully requested.

Claims 22 and 26-27 depend from claim 21, which is believed to be allowable. Therefore, claims 22 and 26-27 are also believed to be allowable for at least the same reasons as claim 21. Withdrawal of the rejection of claims 22 and 26-27 is respectfully requested.

In addition, claim 26 positively recites "program code for reading at least one tag in the multimedia presentation and program code for synchronously outputting the visual component and corresponding audio annotation based on the at least one tag" (emphasis added). Quentin fails to teach or suggest at least this recitation.

The Final Office Action relies on the "special delimiters" disclosed in Quentin at Col. 6, lines 1-12 as disclosing the at least one tag. However, there is no teaching or suggestion that program code synchronously outputs a visual component and corresponding audio annotation based on the special delimiter in Quentin. Instead, the special delimiters serve to identify a multimedia command among text.

#### **Claim Rejections - 35 U.S.C. 103(a)**

The Office Action rejected claims 23-25 under 35 U.S.C. 103(a) as being unpatentable over Quentin. Applicant respectfully traverses this rejection.

Claims 23-25 depend from claim 21, which is believed to be allowable as discussed above. Therefore, claims 23-25 are also believed to be allowable for at least the same reasons as claim 21. Withdrawal of the rejection of claims 23-25 is respectfully requested.

In addition, the Final Office Action uses Official Notice that it would have been obvious to replace the satellite system of Quentin with the Internet to reject claims 23-25. However, the Final Office Action takes the claims out of context in making this rejection.

The embodiment described in Quentin is provided for use in "environments where it is inconvenient or impossible to bring the complete system." Col. 24, lines 8-10. For example Quentin describes that the "satellite station can be carried into tight quarters or put near the user's face while performing a physically difficult task so that the user can easily view the screen and enter requests for additional information without having to make unnecessary movements." Col. 24, lines 10-15.

There is no motivation to modify the computer subsystem or satellite station in Quentin to operate in "tight quarters" to access an Internet site (as positively recited in claim 23), to receive an email, an attachment to an email, and a computer readable data file from another multifunction device (as positively recited in claim 24), or to receive the multimedia presentation as a computer readable data file from an Internet site linked to by the multifunction device (as positively recited in claim 25).

For at least these reasons, claims 23-25 are believed to be allowable, and withdrawal of the rejection of claims 23-25 is respectfully requested.

**Conclusion**

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

Dated: July 15, 2005 By: Mark D. Trenner

Mark D. Trenner  
Reg. No. 43,961  
(720) 221-3708